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# A DECLARATION

PVBLISHED BY

## SIR *THOMAS MIDDLETON*

Knight, Serjeant-Major-Generall, and Vice-Admirall for the fixe Counties of *NORTH-WALES.*

Setting forth the Illegallity and Incongruity of a pernicious Oath and Protestation, imposed upon many peaceable Subjects within the said Counties (who to avoid Plundering or Imprisonment) were inforced to take the same, whereby the Imposers of the said Oath endeavour under paine of perjury, to make the people to renounce their owne just liberties, and the benefit and protection of the knowne Lawes, and to submit to a Tyranicall, Arbitrary, and slavish government, exercised by the Commissioners of Array.

*AND LIKEWISE,*

Setting forth the use and intentions of the Forces raised for the Service of the King and Parliament, under the Command of the said Sir *Thomas Middleton*, the benefit that the Country shall receive by their Protection: And what they are to expect that contemne their Power.

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*LONDON*, Printed for *Io. Thomas*, 1644.

# A DECLARATION

LONDON, Printed for Io. Thomas, 1644.

# A Declaration published by Sir *Thomas Middleton* Knight, Serjeant-Major-Generall, and Vice-Admirall for the six Counties of *North-Wales*.

WHereas according to an Act of Councell of War holden at *Salop* the two and twentieth of July, 1643. a certain Oath and Protestation contrived by the said Councell, is published in Print, and imposed upon many of His Majesties peaceable Subjects within the severall Counties of *North-Wales*, *Worcester* and *Salop*; the tenour whereof followeth in these wordes: viz.

I *A. B. Doe from my heart, without any equivocation, or mentall reservation, vow, protest, and sweare in the presence of Almighty God, that I will to the utmost of my power maintaine and defend the true Protestant Religion established in the Church of* England, *the Kings Majesties Sacred Person, His Heires and lawfull Successours, His Majesties just Power and Prerogative, and the just Priviledges of Parliament: And that I doe beleeve that the Forces raised by Order of either, or both Houses of Parliament, under the conduct of the Earle of* Essex, *Sir* William Brereton, *Sir* Tho. Middleton, *or any other person or persons, pretending Authority from either, or both the said Houses, or from the said Earle of* Essex, *or from any other whatsoever without His Majesties Command, and against His Consent, are traiterously and Rebelliously raised against His Majesty, and His loyall Subjects, and the knowne Lawes of this Kingdome.*

*And that I shall endeavour with the hazard of my life and fortune, not only to oppose and resist the said Earle of* Essex, *Sir* William Brereton, *Sir* Thomas Middleton, *their forces and adherents, and all other person or persons whomsoever that pretend or derive Authority from either, or both Houses, or from the said Earle of* Essex, *or from any other person or persons without His Majesties Commandment Consent, but also shall and will as far as I am able, aid and assist the Kings Majesty, and His Forces against the said Earle of* Essex, *Sir* William Brereton, *Sir* Thomas Middleton, *their Forces and adherents, and against all other* Traytors *and Rebels now in Armes a-*

*gainst His Majesty and His loyall Subjects, and the Peace and Lawes of this Kingdome. And I doe vow, protest and sweare in the Presence of Almighty God, That I have not, nor at any time hereafter will take or shall conceale the name or names of any person or persons which I now know, or hereafter shall discover to have taken that detestable Declaration, Vow, or Covenant, lately published and imposed upon His Majesties Subjects by Authority of one or both Houses of Parliament, setting forth, and as much as in them lyeth, justifying the Forces raised and continued by both Houses of Parliament against the Forces raised by the Kings Majesty, without the consent of the said Houses; and whereby His Majesties Subjects by and under the tye and obligation of the said Vow and Covenant; doe declare, vow and covenant before Almighty God to give assistance to the said forces so raised without His Majesties consent, and doe by the said Declaration vow, declare, and covenant, not to assist the Forces raised by His Majesty.*

*And lastly, I will not directly nor indirectly divulge nor communicate, nor consent that any other shall divulge or communicate to the said Earle of* Essex, *Sir* William Brereton, *Sir* Thomas Middleton, *or any other Forces or adherents, any thing or matter that may hinder or prejudice His Majesty or any of His Forces in His courses or designes, or otherwise further or advance the said Earle of* Essex, *Sir* William Brereton, *Sir* Thomas Middleton, *or any of them, or any of their adherents, in their treasonable wayes or designes, as God shall help me, and the contents of this Booke.*

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## *At a Councell of War holden at Salop.*

### *Present, the parties here undernamed.*

IT is ordered that this Protestation be forthwith Printed, and to be sent to the Justices of Peace of the nine Counties under the Lord *Capels* command, and the Franchises thereof, and to the Commissioners of Array to be taken by them, and to be by them commended to the rurall Deanes to be by them sent to the Clergy, and by them to be taken, and by them to be tendred to all Parishioners of the age of sixteen yeares and upwards, and to take the names of all who shall take the same, and of them who refuse, to be severally and distinctly returned of the Justices of Peace, and Commissioners of Array, and by them to be returned to the Lord Lieutenant Generall, *Arthur Capel.*

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| *Francis Otley.* | *Thomas Powel.* | *Roger Owen.* |
| *Thomas Hanmer.* | *John Mennes.* | *Arthur Trevor.* |
| *Paul Harris.* | *Thomas Scriven.* | *Dudley Wyatt.* |
| *John Weld.* | *Michael Woodhouse.* | *Rowland Vaughan.* |

Which

WHich Oath is not only contrary to the known Lawes of this Realm and Liberties of the Subjects, but alſo contrary to it ſelfe in the whole ſubſtance thereof, laying an impoſſibility upon the takers thereof, of performing the ſame, as may appeare by theſe enſuing Obſervations.

Firſt, They ſwear to defend and maintain the true Proteſtant Religion to the utmoſt of their power, and they ſwear to aid and aſſiſt His Majeſties Forces (conſiſting of all the Engliſh Papiſts, and many Iriſh Rebells) againſt the Parliaments Forces, who conſiſt all of Proteſtants, and are meerly raiſed for the defence of the Proteſtant Religion, and to ſuppreſſe thoſe Papiſts and their adherents, who endeavour to deſtroy the ſame in this, and the Kingdome of *Ireland*, and are the moſt oppoſite enemies thereto of any people that profeſſe Chriſtianity.

Secondly, They ſweare to maintain His Majeſties juſt Power and prerogatives: And they ſweare to oppoſe all perſons that derive any Authority from both Houſes of Parliament, without His Majeſties command or conſent: If the Contrivers of the Oath doe meane His Majeſties Royall and Regall Command or Conſent, the Houſes of Parliament have that to warrant all their Actions and Proceedings, as well as all other Courts of Juſtice have, where His Majeſties Name and Command is alwayes uſed of courſe, as a branch of the Kingly Office inſeparably annexed to the Power and Juriſdiction of every Court, as appeares by all ordinary proceſſe, and to ſay that any Court wants that, is to deny that Court a being: But if it be meant His Perſonall command or conſent (or rather the will of ſome prevalent Popiſhly affected perſons wreſting from Him Commands contrary to the Reſolutions of His Parliament) ſuch Commands are inconſiſtent with, and deſtructive to His Regall Office, and conſequently contrary to His juſt Power and Prerogatives, becauſe it oppoſeth His Royall Commands (ſignified by the higheſt Court of Juſtice) wherein His Majeſties Regall Power and Sovereigne Authority doth alwayes reſide.

Thirdly, They ſweare to maintaine the juſt Priviledges of Parliament, and they ſweare to aſſiſt the Papiſts now in Armes in His Majeſties Army, contrary to ſeverall Acts of Parliament, it being the higheſt breach of the Priviledges of Parliament to have their Acts contemptuouſly violated (the Court ſitting) in meere oppoſition to their Power.

So that whoſoever takes that Oath, with an intent to keep the ſame, muſt beleeve: Firſt, That the Engliſh and Iriſh Papiſts (who are in Armes and

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have places of eminent Command in His Majesties Army, and have within lesse then two years time almost quite destroyed the Protestants and their Religion in the Kingdome of Ireland) do now fight for, and endeavour to maintaine the true Protestant Religion.

Secondly, They must beleeve, that such personall Commands are wrested from His Majesty by private favourites, are to be actually obeyed before and against his Royall commands and Regall Authority signified by his Courts of Justice: and that his Majesties just Power and Prerogatives are not resident in his Courts, but in the breasts of His Favourites.

Thirdly, they must beleeve, that to set in open defiance severall Acts of Parliament made against Papists bearing of Armes (the Parliament sitting) in contempt of their Authority, is no breach of the Priviledges of Parliament. And lastly, They must sweare, that they doe beleeve, that all the Members of both Houses of Parliament, (for endeavouring to put those Lawes in execution, and to preserve themselves and the Kingdome from the power of the Popish Armies) are Traitors. For if the Forces raised by them for that purpose, are traiterously raised, it followes, that they that raised them are Traitors.

By which Oath and Protestation, the said Councell of War doe purposely decline to make the people sweare to maintaine the knowne Laws, and their own just Liberties; and do endeavour to engage them upon paine of perjury, to renounce their liberties, and the benefit and protection of the known Laws, and to subject themselves to such a condition of slavery as the unlimited and arbitrary wills of the Commissioners of Array would put them into, who have already so farre exercised their illegall power over them, that the whole Country doe groane under the burthen of their grievances, as the many heavy and cruell taxations, the imprisoning of mens persons, the pressing of men for the Wars without Authority of Parliament, and the countenancing of Robberies under a new name of plundering.

The consideration of which Grievances and pressures, and the ill consequences of the said Oath, if not timely prevented, have occasioned this ensuing Declaration to undeceive the people.

First, That the said Oath is unjust, deceitfull, and impossible to be performed, and the people enforced to take the same for feare of plundering or imprisonment: So it bindes not the Conscience of any man to keep it; but on the contrary, he that endeavours to keep an unjust Oath, persisteth in sin.

Secondly,

Secondly, That the Forces raised by Authority of Parliament, under the Command of Sir *Thomas Middleton* Knight, are neither Traiterously nor Rebelliously raised, but have His Majesties Royall Authority for their warrant.

Thirdly, That the said Forces are raised for the preservation of the true Protestant Religion, His Majesties person, just Power and Prerogative, the just Priviledges of Parliament, the just Liberties of the Subject, and the knowne Laws of this Kingdome; against those Armies of Papists and Delinquents within this Kingdome, who (pretending His Majesties personall Commands, as the Rebels in Ireland doe, to countenance their Rebellion) endeavour to destroy the very constitution and being of Parliaments, and therein His Majesties Royall Authority and the Laws of the Realme, to the end they might avoid the justice of that Supream Court. And are particularly raised to free that Country from the cruell oppression of those persons, who thought that ruine would not come swift enough into their Coasts, except they did petition and ride far to usher in the same: those persons, who (to compasse to themselves some titles of Dignities) would let the Kingdome see, into what measure of servitude and bondage they can bring the Common people into, by their new acquired power of the Commission of Array.

Fourthly, That all those persons inhabiting within any of the Comties of *North-Wales*, who have been misled, or enforced by the Commissioners of Array, to raise Armes or pay money towards the maintenance of this unnaturall War against the Parliament, and shall forthwith come in and tender themselves to the said Sir *Thomas Middleton*, and yeeld submission to the Power and Authority of Parliament; their former delinquencies shall be remitted, and their persons and estates protected from the violence and fury of Souldiers.

Fifthly, That as many of those persons who have put in execution the Commission of Array, or have been in actuall War against the Parliament, as shall forthwith come and render themselves unto the said Sir *Thomas Middleton*, and submit to the Power and Authority of Parliament; he will suspend the putting in execution of the Ordinances of Parliament against them, untill the further pleasure of the Parliament be signified therein: and will use his best endeavour to have their former delinquencie remitted or qualified.

Sixthly, That as many as will not submit to the Authority of Parliament, but persist in their disobedience, must expect to feele those miseries which War may bring upon them, and that punishment which they justly deserve for their contempt of so High Authority.

And

And lastly, That the Forces of the Parliament shall be continued no longer in the said Counties, then untill those Commissioners of Array, and those other persons that have been in actuall War against the Parliament, be reduced to their due obedience to the Laws of the Realme, and the justice of that supream Court: The Coasts secured against the landing of Irish Rebells (from whom no Protestant Subject of this Kingdome can expect civill usage, however he stands affected;) The people freed from those oppressions and bondage under which they groane; and the trading of *North-Wales* for Cloth and Cattell be restored unto them, which now is quite decayed by the Commissioners of Array's opposition against the Parliament; and the want thereof will bring extreame poverty and famine upon the whole Country.

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He that can beleeve,

*That the Irish Rebels and English Papists doe now fight to maintaine the Protestant Religion,*

*That His Majesties Royall Power and just Prerogatives are not resident in the Courts of Justice,*

*That the Papists who are now in Armes, contrary to the expresse words of severall Acts of Parliament made against Papists bearing of Armes; doe now fight to maintaine and keep those Statutes in force,*

*That those Delinquents who were declared Traitors by the Parliament, and many of them so proclaimed by His Majesty, doe now fight against the Parliaments Forces to maintaine the Priviledges of Parliament, and not to protect themselves from the Justice of that Supreme Court:*

is furnished with a sufficient competencie of Ignorance to digest that Oath.

*He that hath been inforced to take an Oath, the substance whereof he cannot beleeve; is bound in Conscience and reason not to observe the same.*

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